

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

719 CT/US

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/486839

PRIORITY DATE CLAIMED

11 SEPT 1997

INTERNATIONAL APPLICATION NO.
PCT/US98/18953INTERNATIONAL FILING DATE
11 SEPT 1998

416 Rec'd PCT/PTO 01 MAR 2000

TITLE OF INVENTION

INTRANASAL FORMULATION CONTAINING SCOPOLAMINE AND METHOD OF TREATING MOTION
SICKNESS

APPLICANT(S) FOR DO/EO/US

A'CHARI, Raja G.; BEHL, Charanjit R.; CHOWHAN, Prafulla K.; DE MEIRELES, C. Jorge; DUA, Ramneik;
ROMEO, Vincent D.; SILENO, Anthony P.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

- Letter of Clarification regarding submission of a copy of declaration.

428 Rec'd PCT/PTO 31 MAR 2000

ATTORNEY'S DOCKET NUMBER
719-75 PCT/USU.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
09/486839INTERNATIONAL APPLICATION NO.
PCT/US98/18953

CALCULATIONS PTO USE ONLY

21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00
- ☒ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$96.00

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). ☐ 20 ☐ 30

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	21 - 20 =	1	x \$18.00	\$18.00
Independent claims	3 - 3 =	0	x \$78.00	\$0.00
Multiple Dependent Claims (check if applicable).				\$0.00

\$114.00

TOTAL OF ABOVE CALCULATIONS =Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). ☐

\$0.00

SUBTOTAL =

\$114.00

Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). ☐ 20 ☐ 30 +

\$0.00

TOTAL NATIONAL FEE =

\$114.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☒

\$40.00

TOTAL FEES ENCLOSED =

\$154.00

Amount to be:
refunded \$
charged \$☒ A check in the amount of \$154.00 to cover the above fees is enclosed.☐ Please charge my Deposit Account No. in the amount of to cover the above fees.
A duplicate copy of this sheet is enclosed.☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-2461 A duplicate copy of this sheet is enclosed.**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KIRK M. MILES, ESQ.
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6900 JERICHO TURNPIKE
SYOSSET, NEW YORK 11791
(973) 331-1700

SIGNATURE

KIRK M. MILES, ESQ.

NAME

37,891

REGISTRATION NUMBER

MARCH 1, 2000

DATE

09/486839

428 Rec'd PCT/PTO 01 MAR 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AS THE DESIGNATED/ELECTED OFFICE UNDER 35 U.S.C. §371

Applicant: Achari, et al.
Application No.: Unassigned (§ 371 Filing of
PCT/US98/18953)
International Filing Date: 11 September 1998
Priority Date: 11 September 1997
Examiner: M. Moezie (Anticipated)
Docket: 719-75 PCT/US
Title: INTRANASAL FORMULATION
CONTAINING SCOPOLAMINE
AND METHOD OF TREATING
MOTION SICKNESS
Date: March 1, 2000

Assistant Commissioner for Patents
Washington D.C. 20231

Label No. EJ094852526US
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addressed for delivery to the Commissioner of Patents &
Trademarks, Washington, DC 20231 on 3/1/00
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By: B. Kemmler/

Attn: DO/US

LETTER OF CLARIFICATION REGARDING SUBMISSION
OF COPY OF DECLARATION ACCOMPANYING A FILING
UNDER 35 U.S.C. § 371


The present paper is submitted in conjunction with entry into the U.S. National
Phase under 35 U.S.C. § 371 for the above referenced PCT International application. The
original PCT International Application was filed on September 11, 1997 in the

U. S. Patent and Trademark Office acting as the receiving office under the PCT. An original Declaration executed by each of the named inventors herein was submitted along with the original international application as filed in the U.S. Patent and Trademark Office as the Receiving Office on September 11, 1997. Accordingly, submitted herewith is a copy of the combined Declaration and Power of Attorney as submitted in connection with the original international application.

Additionally, an assignment document including a cover sheet was also submitted in connection with the original filing of the International Application on September 11, 1997. Applicants' undersigned representative, however, has not received a notification regarding the recordation of such Assignment. Accordingly, a copy of the assignment document is being re-submitted for recordation at the U.S. Patent and Trademark Office.

Any questions regarding this submission should be directed to Applicants' undersigned representative who can be reached by telephone at (973) 331-1700.

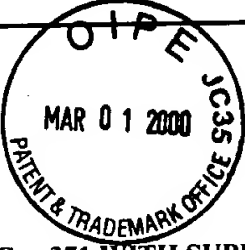
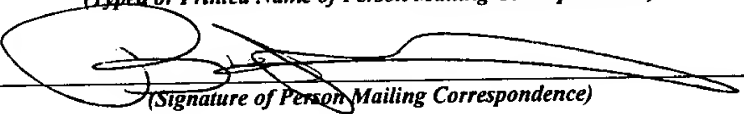
Respectfully submitted,



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03-02-00 09/486830 PCT #

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. 719-75 PCT/US	
Applicant(s): ACHARI et al.				
Serial No. PCT/US98/18953	Filing Date 11 SEPTEMBER 1997	Examiner 416 Rec'd PCT/PTO	Group Art Unit 01 MAR 2000	
Invention: INTRANASAL FORMULATION CONTAINING SCOPOLAMINE AND METHOD OF TREATING MOTION SICKNESS				
				
I hereby certify that this <u>FILING UNDER 35 U.S.C. 371 WITH SUPPORTING DOCUMENTS</u> (Identify type of correspondence)				
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on <u>March 1, 2000</u> (Date)				
<u>Barbara Kemmlein</u> (Typed or Printed Name of Person Mailing Correspondence)				
 (Signature of Person Mailing Correspondence)				
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